

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID J. CATANZARO,	)	
	)	
Plaintiff,	)	
	)	Case No. 3:22-cv-1768-MEM
v.	)	
	)	
SPINN, INC.,	)	
	)	
	)	
Defendant.	)	

**THIRD JOINT MOTION TO EXTEND TIME FOR DEFENDANTS WALMART STORES, INC. AND WALMART.COM TO RESPOND TO PLAINTIFF'S COMPLAINT**

Plaintiff David J. Catanzaro (“Plaintiff”) and Defendants Walmart Stores, Inc. and Walmart.com (collectively, “Walmart”), by and through their undersigned counsel, respectfully request an Order permitting Defendant to file an answer or other pleading in response to the Third Amended Complaint in this matter by October 30, 2023. In support of this Motion, the parties jointly state as follows:

1. The parties have agreed to permit an additional extension of time for Walmart to answer, move, or otherwise respond to Plaintiff’s Third Amended Complaint, which was filed on or about November 21, 2022 and served on June 15, 2023, may be extended to October 30, 2023.
2. Good cause exists for the agreed upon extension as it will provide additional time for the parties to both discuss a potential resolution of the case and further investigate the Third Amended Complaint.
3. The parties agree that this Motion and/or the resultant extension does not constitute a waiver of any claim, right, or defense.

4. In accordance with M.D. Pa. R. 7.1, Plaintiff certifies that he has expressed concurrence with the relief requested and permits this Motion to be filed jointly.

5. A proposed Order is submitted herewith for the Court's consideration.

**Wherefore, it is respectfully requested that this honorable Court grant the Joint Motion of Plaintiff and Walmart to permit Walmart to answer or otherwise plead in response to Plaintiff's Third Amended Complaint on or before October 30, 2023.**

Respectfully submitted,

Dated: September 28, 2023

By: /s/ David J. Catanzaro

David J. Catanzaro, *pro se*  
286 Upper Powderly Street  
Carbondale, PA 18407  
570-936-9262  
[davidjosephus@aol.com](mailto:davidjosephus@aol.com)

*Plaintiff, pro se*

Dated: September 28, 2023

By: /s/ Stephen H. Barrett

Stephen H. Barrett  
DLA PIPER LLP (US)  
One Liberty Place  
1650 Market St., Suite 5000  
Philadelphia, PA 19103  
Phone: 215.656.3300  
[stephen.barrett@us.dlapiper.com](mailto:stephen.barrett@us.dlapiper.com)

*Attorney for Defendants Walmart Stores, Inc.  
and Walmart.com*